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Fax Transmittal

Date February 3, 2006 Client-Matter 53951-056

Total Pages (Including Cover) 5

From Elizabeth Tavaréz

Sender's Voice Number 212.969-4031

Sender's Room Number 1719

Sender's Email Address etavaréz@proskauer.com

Main Fax Number 212.969.2900

To: ASTORINO, Michael C. Group Art Unit: 3736

Fax No.: 571-273-8300

Company: USPTO

Voice No.:

Message

Re: Application of : Jeffrey H. BURBANK
Serial No. : 10/037,254
Filing Date : January 4, 2002
Entitled : METHOD AND APPARATUS FOR MACHINE ERROR ...
Attorney Docket No. : 53951-056

Attached please find the following:

- 1) Response to Restriction Requirement dated October 4, 2005, copy of response previously filed on October 31, 2006 and fax confirmation.

Confidentiality Note: This message is confidential and intended only for the use of the addressee(s) named above. It may contain legally privileged material. Dissemination, distribution or copying of this message, other than by such addressee(s), is strictly prohibited. If you have received this message in error, please immediately notify us by telephone and return the original to us at the address above. We will reimburse you for the cost of the telephone call and postage. Thank you.

Serial No.: 10/037,254

Attorney Docket No.: 53951-056

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: ASTORINO, Michael C.

Group Art Unit: 3736

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Application of	:	Jeffrey H. BURBANK
Serial No.	:	10/037,254
Filing Date	:	January 4, 2002
Entitled	:	METHOD AND APPARATUS FOR MACHINE ERROR ...

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via facsimile to 571-273-8300 on the date shown below to the Commissioner for Patents.

Elizabeth Tavaréz

Name of person signing the certification

Elizabeth Tavaréz February 3, 2006
Signature Date

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated October 4, 2005, **the Applicant timely filed a response on 1/31/2005. Please refer to the attached fax confirmation sheet which shows the page count successfully transmitted and a true copy of the response that was previously filed.** Applicant wishes to elect the group I invention corresponding to claims 1-6, 9-48. Accordingly, claims 7 and 8 are canceled without prejudice to their being pursued in a separate application. No fees should be required, but the Commissioner is authorized to deduct any fees necessary in connection with this application from the Deposit Account 16-2500.

February 3, 2006

Respectfully submitted,
PROSKAUER ROSE LLP

By Mark A Catan
Mark A Catan
Patent Attorney
Reg. No. 38,720

PROSKAUER ROSE LLP
Patent Dept.
1585 Broadway
New York, New York 10036

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FEB 03 2006 21:55 FR PROSKAUER ROSE LLP 172 969 2927 TO *6969*53951056*7 P.03

** JOB STATUS REPORT

AS OF OCT 3 2005 21:59 PAGE. 01

PROSKAUER ROSE LLP 17

JOB #155

DATE	TIME	TO/TROM	MODE	MIN/SEC	PGS	STATUS
001 10/31	21:58	951056*7*915712738300	G3--S	00' 43"	002	OK

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Date October 31, 2005 Client-Matter -53951-056

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Total Pages (Including Cover) 2

From Elizabeth Tavaraz

Sender's Voice Number 212-969-4031

Sender's Room Number

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To: Commissioner for Patents

Fax No.: 571-273-8300

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FEB 03 2006 21:56 FR PROSKAUER ROSE LLP 172 969 2927 TO *6969*53951056*7 P.04

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Date October 31, 2005 Client-Matter -53951-056

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From Elizabeth Tavarez

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Sender's Room Number

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Elizabeth Tavares
Name of person signing the certification

E. Tavares
Signature

October 31, 2005
Date

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

In response to the Restriction Requirement dated October 4, 2005, the Applicant hereby elects group I, claims 1-6, 9-48 and 23-26. Accordingly, claims 7 and 8 are canceled without prejudice to their being pursued in a separate application. The Commissioner is authorized to deduct all fees necessary in connection with this application from the Deposit Account 16-2500.

Oct. 31, 2005

Respectfully submitted,
PROSKAUER ROSE LLP

By

Mark A Catan
Mark A Catan
Patent Agent
Reg. No. 38,720

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